

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

C. EARL GRANT,

Plaintiff,

vs.

NATIONAL BOARD OF MEDICAL EXAMINERS
and FEDERATION OF STATES MEDICAL BOARD,

Civil Action No.
7:07-cv-00996
(TJM-GJD)

Defendants.

David A. Johnson, under penalty of perjury and pursuant to 28 U.S.C. § 1746,
declares as follows:

1. I am employed by the Federation of State Medical Boards (“FSMB”) as Vice President, Assessment Services. I have personal knowledge of the facts set forth herein and if called could testify competently thereto.
2. I previously provided an affidavit in opposition to plaintiff C. Earl Grant’s Motion to Amend his Complaint and in support of defendants’ Cross Motion for Summary Judgment.
3. I submit this supplemental affidavit to clarify some of the allegations made in Dr. Grant’s opposing papers, and in further support of defendants’ Cross Motion for Summary Judgment.
4. I understand that, in his affidavit, Dr. Grant claims FSMB did not have any communication with the State Medical Board of Ohio (“SMBO”)

regarding his 2003 Step 3 application and that FSMB used the purported communications as a pretext for delaying approval of his application.

5. FSMB communicated with the SMBO regarding Dr. Grant's request for accommodations on the 2003 Step 3 USMLE examination, not regarding Dr. Grant's Step 3 application or eligibility, as Dr. Grant apparently believes.

6. On April 7, 2003, FSMB sent a letter to the SMBO, requesting that they approve or deny FSMB's recommendations with respect Dr. Grant's request for exam accomodations. *See Exhibit A* attached hereto. The SMBO responded by facsimile on May 15, 2003, and approved FSMB's recommendation with respect to Dr. Grant. *See Exhibit B* attached hereto.

7. I further understand that Dr. Grant complains FSMB did not provide him with timely information about the status of his 2008 Step 3 application. *See Grant Aff.*, ¶¶ 33-35.

8. Apparently, Dr. Grant argues that because FSMB was aware that its emails regarding the status of his Step 3 application and permit were being rejected by his email account, *see Grant Aff.*, Exh. L, FSMB should have taken additional measures to ensure that he received that information in a timely manner. *See Grant Aff.*, ¶ 35.

9. Dr. Grant's position is unfounded. FSMB provides candidates with information about the Step 3 application and examination process through its website. Candidates are responsible for familiarizing themselves with

FSMB's policies and procedures regarding the Step 3 examination and application process by reviewing the contents of that website.

10. The website clearly explains in several locations that email will be the principal means for FSMB's communications with candidates, and will be used to notify candidates of the status of their Step 3 applications and scheduling permits. *See e.g.*, Exhibits C, D, E and F, attached hereto.

11. In fact, FSMB expressly cautions candidates about the very problem Dr. Grant experienced: an email filter that rejects FSMB emails or places them in a "junk" or "spam" folder. *See e.g.*, Exhibits E and F (FAQ No. 8). It is the candidate's obligation, not FSMB's, to ensure that his or her email account will accept emails from FSMB.

12. In any event, candidates can check the status of their applications and permits, and print issued permits, at any time through FSMB's Candidate Website. *See* Exhibit E, F (FAQ Nos. 9, 13), G and H (May Update).

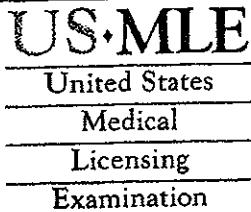
13. Thus, even though Dr. Grant apparently failed to take steps to ensure that his email account would accept FSMB emails, he could have checked the status of his 2008 Step 3 application and accessed and printed his Step 3 permit through the FSMB Candidate Website, at any time.

Dated: February 27, 2009

s/David A. Johnson
David A. Johnson

EXHIBIT A

Confidential



Secretariat:
3750 Market Street
Philadelphia, PA 19104
(215) 590-9600
Fax: (215) 590-9470
www.usmle.org

Composite Committee

Carol A. Aschenbrener, MD
Chair

L.D. Britt, MD
D. Clifford Burross, MD
N. Lynn Eckhert, MD, DrPH
William H. Fleming, III, MD
James A. Hallock, MD
Donald E. Melnick, MD
Stephen G. Post, PhD
Alan E. Shumacher, MD
Susan M. Spaulding
James N. Thompson, MD
James E. West, MD
Alexander H. Williams, III
William T. Williams, Jr., MD

Alternates:

Gerald J. Bechamps, MD
Bruce M. Koeppen, MD, PhD
Gerald P. Whelan, MD

Disability Service
Tel. (215) 590-9509
Fax. (215) 590-9422

04/07/2003

Penny Grubb
State Medical Board of Ohio
77 South High Street
17th Floor
Columbus, OH 43215

Dear Ms. Grubb:

I am forwarding the enclosed materials for your review from individuals from Ohio who have requested test accommodations on the USMLE STEP 3.

Please review carefully the documentation and accompanying recommendation on the enclosed S#33 form for each applicant. Please provide your decision in the appropriate area on the enclosed S#33 form and return it within seven business days to:

Coordinator for Special Examination Services
Federation of State Medical Boards™
400 Fuller Wiser Road, Suite 300
Euless, TX 76039

Phone: (817) 868-4016
Fax: (817) 868-4098

If you have any questions concerning documentation, previously approved accommodations or the USMLE Disability Services recommendation concerning this request, please contact Disability Services at (215) 590-9869.

Sincerely,

Carol Morrison Featherman, Ph.D
Assistant Vice President, Examinee Support Services
CMF/CM/SC

c. Brian Wilsford,
Federation of State Medical Boards

A Joint Program of the Federation of State Medical Boards of the U.S., Inc. and the National Board of Medical Examiners®



Federation of State Medical Boards of the U.S., Inc.
400 Fuller Wiser Road, Suite 300
Euless, TX 76039-3855
(817) 868-4000
Fax: (817) 868-4098
www.fsmb.org



National Board of Medical Examiners
3750 Market Street
Philadelphia, PA 19104
(215) 590-9500
Fax: (215) 590-9555
www.nbme.org

UNITED STATES MEDICAL LICENSING EXAM™ (USMLE)

Please Print Step 3 Notification of State Medical Board Decision Form # S33

For Examinees with Disabilities Taking USMLE Step 3
Requesting Test Accommodations

Exam: USMLE STEP 3- 2003

Applicant Name: Grant, C Earl

State: OH

USMLE ID: 4-048-306-7

Social Security: 416-04-9575

Declared Disability:

LD ; Attention Deficit Disorder

Accommodations(s) Requested:

Time or Break Amount Requested: double time

Code: Accommodation:

Consultant Opinion:

021 separate room

Y

* 001 extra time

Y

State Medical Board Decision

Approved

Denied

(Mark Decision)

Notes / Special Instructions:

* Earl Grant is requesting double time. The NBME recommends time and a half only, which is what he has received for all past accommodated test steps.

Please (1) review all attached materials, (2) indicate State Medical Board decision above and (3) complete the following:

Board Representative Name:

Board Representative Signature:

Date:

Phone Number: ()

Fax : ()

Please notify the Federation of State Medical Boards of your state board's final decision by mailing this form to: Coordinator for Special Examination Services, Federation of State Medical Boards, 400 Fuller Wiser Road, Suite 300, Euless, Texas 76039, or fax to Coordinator for Special Examination Services at (817) 868-4098.

EXHIBIT B

UNITED STATES MEDICAL LICENSING EXAM

Please Print Step 3 Notification of State Medical Board Decision Form # S33
 For Examinees with Disabilities Taking USMLE Step 3
 Requesting Test Accommodations

Exam: USMLE STEP 3- 2003

Applicant Name: Grant, C Earl

State: OH

USMLE ID: 4-048-306-7

Social Security: 416-04-9575

Declared Disability:

LD : Attention Deficit Disorder

Accommodations(s) Requested:

Time or Break Amount Requested: double time

Code: Accommodation:	Consultant Opinion:
021 separate room	N
* 001 extra time	Y

State Medical Board Decision

Approved Denied

(Mark Decision)

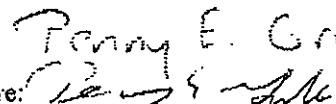
N

Y - for time
and a half only**Notes / Special Instructions:**

* Grant is requesting double time. The NBME recommends time and a half only, which is what he has received for all past accommodated test steps.

Please (1) review all attached materials, (2) indicate State Medical Board decision above and (3) complete the following:

Board Representative Name: Penny E. Grubbs

Board Representative Signature:  Date: 5/15/03

Phone Number: (417) 466-1934

Fax: (417) 644-1464

1. Board Representative Name:	2. Board Representative Signature:	3. Date:	4. # of
5. Board of Medical Examiners of the State of Missouri, Missouri State Office, 400 Main Street, Suite 1000, Jefferson City, Missouri 65101			
6. Phone #	7. Fax #	8. Phone #	9. Fax #
Fax # (417) 743-4092		Fax # 644-1464	
TOTAL P.01			

EXHIBIT C

**Federation of
STATE
MEDICAL
BOARDS**

ONLINE APPLICATION

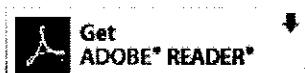
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STEP 3 - APPLYING

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- » [Test Accommodations](#)
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- » [Eligibility Extension](#)

NOTE: In order to view PDF documents, you must have the Adobe Reader installed on your computer.



Step 3 Online Application

Welcome to the FSMB's online registration for the USMLE Step 3.

To utilize the FSMB's online registration for Step 3 you will need:

- **ACCESS TO A COMPUTER WITH A PRINTER:** The computer must have one of the following web browsers installed: Microsoft Internet Explorer 5.x or Netscape Navigator 6.x or higher. The printer is necessary to print and then mail the required forms, e.g., the Certification of Identity form.
- **A CREDIT OR DEBIT CARD:** A Visa or Master Card will be necessary to submit payment for the Step 3 Online Application.
- **AN E-MAIL ADDRESS:** This will be the **primary** means for FSMB to communicate with you regarding your application.

If you do not have each of these items listed above, you will have to complete a paper application.

Before you begin the online registration process, you should carefully review both the USMLE Bulletin of Information and the USMLE Step 3 Content Description and General Information. Your signature on the Certification of Identity form signifies that you meet all USMLE and state-specific eligibility requirements, have read the *Bulletin of Information* and agree to abide by the policies and procedures it describes.

You should also review the Frequently Asked Questions on this website before beginning online registration for Step 3. If you have questions that are not answered by the materials on this website or the USMLE Bulletin, please contact FSMB at **(817) 868-4041** between 8:00 a.m. and 5:00 p.m. CT, Monday through Friday or email us at usmle@fsmb.org.

Mail the Step 3 CID page and/or any required documents (if applicable) to:

First Class U.S. Postal
Service

Overnight Courier

FSMB
Attn: Exam Department
P.O. Box 619850
Dallas, TX 75261-9850

FSMB
Attn: Exam Department
400 Fuller Wiser Rd., Ste. 300
Euless, TX 76039

At the end of your registration for USMLE Step 3 you will be asked if you would like to create an FCVS profile using your Step 3 information. This is strictly **voluntary**. If you are going to apply for licensure with a board that is an "accepting" board of FCVS profiles, it may be beneficial to you to create your FCVS profile now. [[FAQ on FCVS](#)]

[Contact Us](#)

EXHIBIT D



2006 USMLE UPDATE!



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USMLE DOCUMENTS

- » [USMLE Step 3 Home Page](#)
- » [USMLE Step 3 Eligibility Requirements](#)
- » [Comprehensive Review of USMLE \(CRU\)](#)
- » [USMLE Updates & Documents](#)
- » [USMLE Step 3](#)
- » [2009 USMLE Updates](#)
- » [2008 USMLE Updates](#)
- » [2007 USMLE Updates](#)
- » [2005 USMLE Updates](#)
- » [2004 USMLE Updates](#)
- » [2003 USMLE Updates](#)

2006 USMLE Updates

December CHANGE IN STEP 1 MINIMUM PASSING SCORE

As stated in the USMLE Bulletin of Information and as explained in a previous posting to the USMLE website, the level of proficiency required to meet the recommended minimum passing level for each USMLE Step examination is reviewed periodically and may be adjusted at any time. Notice of such review and any adjustments are posted at the USMLE website.

At its December 2006 meeting, the Step 1 Committee conducted such a review, considering information from multiple sources including: 1) recommendations from physicians and scientists who participated in content-based standard-setting activities in the fall of 2006; 2) results of surveys of various groups concerning the appropriateness of current pass/fail standards for Step examinations; 3) trends in examinee performance; and 4) score precision and its effect on the pass/fail decision. As a result of this review, the Step 1 Committee decided to raise the three-digit score recommended to pass Step 1 from 182 to 185. The new minimum passing score will be applied to Step 1 examinations for which the first day of testing is on or after January 1, 2007.

Step 3 Electronic Scheduling Permit

EFFECTIVE DECEMBER 7, 2006, THE USMLE PROGRAM WILL PRODUCE SCHEDULING PERMITS AS AN ELECTRONIC DOCUMENT. THEREFORE, AN E-MAIL ADDRESS IS A MANDATORY FIELD THAT MUST BE COMPLETED ON THE STEP 3 APPLICATION

IN ORDER TO INSTRUCT YOU ON OBTAINING AND PRINTING YOUR SCHEDULING PERMIT. CHECK THE USMLE AND FSMB WEBSITES FOR THE MOST CURRENT INFORMATION.

Once your application is registered and eligibility status approved, an email will be sent to you indicating you have been approved and that information regarding your electronic scheduling permit will be forthcoming. Within 3-5 business days, a subsequent email will be sent to you with instructions on obtaining and printing your electronic scheduling permit. The scheduling permit includes your assigned eligibility period (90 days plus two additional weeks for processing), which begins immediately once your application is approved, as well as other pertinent information and instructions. Consult the USMLE *Bulletin of Information* for more details.

NOTE: THE NAME ON YOUR UN-EXPIRED, GOVERNMENT-ISSUED PHOTO IDENTIFICATION THAT YOU ARE REQUIRED TO PRESENT AT THE TEST CENTER MUST MATCH EXACTLY THE NAME ON YOUR SCHEDULING PERMIT.

It is your responsibility to obtain and print your USMLE Step 3 electronic scheduling permit. Your permit will remain available until after your Step 3 score report is released. Therefore, if your scheduling permit is misplaced or destroyed you can reprint it from the Candidate website. You will not be allowed to sit for the Step 3 exam without presenting your Scheduling Permit to the proctoring staff on each day of the exam.

Inability to present your permit may require you to cancel your current test date and reschedule your appointment. You may also incur a fee from Prometric if you are rescheduling within five days of your exam date. If there is insufficient time remaining in your eligibility period to reschedule (or request and pay for an eligibility extension), you risk forfeiting your Step 3 exam fee.

NOTE: You can use the Candidate website to monitor the status of your application and the availability of your scheduling permit.

**September Interruption of Prometric Scheduling Services
For Step 1, Step 2 CK and Step 3 October 13-15, 2006**

Thompson Prometric, which provides scheduling services for Step 1, Step 2 CK, and Step 3, is moving into new headquarters in Baltimore, MD. Scheduled outages to exam scheduling systems are planned for weekend hours and will be kept to a minimum.

Prometric's online and telephone scheduling systems will be unavailable during the following times:

- Friday, October 13th at 8:00 PM EDT to Sunday, October 15th at 8:00 PM EDT

During this period, you will be unable to do the following for Step 1, Step 2 CK, or Step 3:

- Schedule, cancel, reschedule, or confirm your testing appointment
- Print a confirmation notice

Scheduling services for Step 2 CS will not be affected.

If you anticipate using the above services during these times, please complete your transaction(s) before the times posted to ensure that you do not miss required deadlines or incur any fees that may result.

There should be no interruption in testing during this time.

Step 2 CS Scheduling - Pilot of email notification system

Beginning September 7, a new service will be pilot tested as part of the Step 2 CS scheduling process.

As part of this service, individuals who have already registered for Step 2 CS, and who are interested in scheduling a testing appointment, can indicate their preferences for test dates and centers. As new testing sessions are opened, or as previously scheduled examinees change their appointments, the individuals participating in this notification program will be contacted about the opening(s) by email.

Participants will be allowed to submit preferences regardless of whether they have scheduled testing appointments, although it is recommended that examinees schedule a testing appointment as soon as they can after registration. This pilot notification program is an optional service; Step 2 CS registrants do not need to create preferences to use other features of Step 2 CS Scheduling, such as browsing available test dates or scheduling a testing appointment.

Participants in the pilot notification program will be asked to enter preferred date(s), test center(s), and an e-mail address for notification. Multiple dates and centers may be entered, but the dates must fall within the registrant's eligibility period. Please note that participants will receive a separate e-mail message for every date that becomes available within their range of preferences. As a result, the number of e-mail messages may be large. Also, indicating preferences will not automatically schedule the examinee for available dates; the participant will still need to go through the scheduling process and obtain a confirmation. If the participant has a scheduled testing appointment, then they will need to reschedule in order to get an available date.

Participants in this program should note that there will be other registrants who provide the same preferences; appointments will still be on a "first-come, first-served" basis and may quickly become unavailable after the notification. This pilot program will be monitored for the next several months and may be modified or discontinued after an assessment of its impact on the CS scheduling.

process.

August

Change in "inactivity timeout" function:

The NBME test delivery software (FRED) is currently configured so that the Unauthorized Break screen appears if no action (e.g., mouse click) occurs during an examination for two minutes. Examinees receive a warning message 30 seconds before the Unauthorized Break screen appears due to inactivity.

Beginning in August 2006, over a period of approximately eight weeks, this function will be reset so that the length of inactive time to generate the Unauthorized Break screen will increase to five minutes. The warning message will still appear 30 seconds before the Unauthorized Break screen appears.

USMLE Application Deadline

All individuals applying to take Step 3 using the 2006 application form must apply online by 5:00 CST on September 1, 2006 or forward a paper application for receipt by FSMB on that date.

Approximately three weeks later, the 2007 application will be posted to the FSMB website and online registration re-opened. Once posted to the website, individuals can register online or print and submit the application to FSMB for processing. Federation staff will begin processing 2007 applications starting the first week of October with November 1, 2006 set as the earliest date approved applicants can begin sitting Step 3 using the 2007 application.

The 2007 Step 3 application cycle runs November 1, 2006 through December 31, 2007. Individuals who immediately submit the 2007 application when it is made available can expect an eligibility period beginning November 1 and running through the end of January. Otherwise, the usual processing time will determine the exact start date of an examinee's eligibility period within the 2007 application cycle.

(Online registrants: 3-5 business days after receipt of the photo id/signature page; paper applications: 2-3 weeks). An additional 15 days is added to the 90-day eligibility period to allow for mailing of the scheduling permit.

July

USMLE Step Committee Retreat

Members of all three United States Medical Licensing Examination (USMLE) Step committees, including nine current or former members of state medical boards, met in San Diego on July 15th through 18th. The discussions centered upon strategic planning for the future structure, format and content of the USMLE. The group identified a series of recommendations for consideration by a workgroup charged by the FSMB and the National Board of Medical Examiners with the comprehensive review of the USMLE program. This work continues the dialogue already begun with state medical boards through surveys and focus group activities conducted at the FSMB annual meeting.

For further information, contact David Johnson, Director of Examination Services at 817-868-4081 or djohnson@fsmb.org

Change in Minimum Passing Requirements for Step 2 Clinical Skills

The USMLE Step 2 Committee is responsible for setting and monitoring pass/fail standards for the Clinical Knowledge (CK) and the Clinical Skills (CS) examinations. Initial standards for the CS examination were set by the Committee in November 2004. Because this process was completed with less than a full year's cohort of examinees, the Committee decided to closely monitor cumulative data on CS during the following year and to undertake a review of the CS standards in the Spring of 2006. This review has been completed.

Based upon the review, the Step 2 Committee has decided to raise the performance levels required to receive a passing outcome on two of the three Step

2 CS subcomponents: Integrated Clinical Encounter (ICE) and Communication and Interpersonal Skills (CIS). There will be no change to minimum passing requirements for the third subcomponent of Step 2 CS, Spoken English Proficiency (SEP).

The new passing requirements will be applied to Step 2 CS examinations taken on and after July 16, 2006.

June

Review of Standards for Step 2 Clinical Skills

The USMLE Step 2 Committee is responsible for setting and monitoring pass/fail standards for the Clinical Knowledge (CK) and the Clinical Skills (CS) examinations. Initial standards for the CS examination were set by the Committee in November 2004. Because this process was completed with less than a full year's cohort of examinees, the Committee decided to closely monitor cumulative data on CS during the following year and to undertake a review of the CS standards in the Spring of 2006. This review process is underway and will be completed in the last half of June 2006.

One of the possible outcomes of the review is that there could be a modification to the performance levels required to pass one or more of the CS subcomponents (Integrated Clinical Encounter, Communication and Interpersonal Skills, Spoken English Proficiency). If there is a decision to make such modifications, it is likely that the new requirements will be applied beginning with those examinees taking Step 2 CS in the testing period that starts July 16, 2006. ([Click here for 2006 Step 2 Clinical Skills Schedule for Reporting Results.](#))

Final decisions resulting from this process will be posted to the [USMLE website](#) during the last week in June.

April

USMLE Fees Adopted for 2007 Test Cycle

The United State Medical Licensure Examination (USMLE) Budget Committee adopted the following

fees for the 2007 test cycle at its April 11 meeting : Step1, \$470; Step 2 CK, \$470; Step 2 CS \$1005 and Step 3, \$655. (Note: Some variation in fees may occur based on the registering entity and the location where the USMLE is administered.) The \$655 cost for Step 3 falls within the previously established \$670 fee ceiling as communicated to member boards in a memorandum dated April 11, 2005. The committee also voted to establish a \$690 fee ceiling for the Step 3 for the 2008 test cycle.

The fee ceiling alerts examinees and state boards of the possible maximum fee for the next test cycle. The fee schedule will be published in USMLE application materials as well as available on this site. For more information, please contact FSMB's Examination Services department at (817) 868-4041 or by e-mail at usmle@fsmb.org.

[Contact Us](#)

EXHIBIT E



STEP 3 SCHEDULING PERMIT

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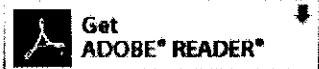
SCHEDULING

- [USMLE Step 3 Home Page](#)
- [Scheduling Permit](#)
- [Scheduling Step 3](#)
- [Eligibility Extensions](#)

RELATED LINKS

- [USMLE Information Bulletin](#)
- [USMLE Candidate Website](#)

NOTE: In order to view PDF documents, you must have the Adobe Reader installed on your computer.



Step 3 Electronic Scheduling Permit

IN DECEMBER, 2006, THE USMLE PROGRAM BEGAN PRODUCING SCHEDULING PERMITS AS AN ELECTRONIC DOCUMENT. THEREFORE, AN E-MAIL ADDRESS IS A MANDATORY FIELD THAT MUST BE COMPLETED ON THE STEP 3 APPLICATION FORM IN ORDER TO INSTRUCT YOU ON OBTAIN AND PRINT YOUR SCHEDULING PERMIT. CHECK THE USMLE AND FSMB WEBSITES FOR THE MOST CURRENT INFORMATION.

Once your application is registered and your eligibility status approved, an email will be sent to you indicating your application has been approved and information regarding your electronic scheduling permit will be forthcoming. Within 3-5 business days, a subsequent email will be sent to you with instructions on how to obtain and print your electronic scheduling permit. If you do not receive the subsequent email(s) you are encouraged and instructed to go to the Candidate website for your scheduling permit.

Be sure that you provide an email address that will accept an email from usmle@fsmb.org. Many .edu's, hotmail, and some other accounts block or place emails from fsmb.org into spam or junk email folders.

NOTE: THE NAME ON YOUR UN-EXPIRED, GOVERNMENT-ISSUED PHOTO IDENTIFICATION THAT YOU ARE REQUIRED TO PRESENT AT THE TEST CENTER MUST MATCH EXACTLY THE NAME ON YOUR SCHEDULING PERMIT.

It is your responsibility to obtain and print your USMLE Step 3 electronic scheduling permit. Your permit will remain available until after your Step 3 score report is released. Therefore, if your scheduling permit is misplaced or destroyed you can reprint it from the [Candidate website](#). You will not be allowed to sit for the Step 3 exam without presenting your Scheduling Permit to the

proctoring staff on each day of the exam.

Inability to present your permit may require you to cancel your current test date and reschedule your appointment. You may also incur a fee from Prometric if you are rescheduling within five business days of your exam date. If there is insufficient time remaining in your eligibility period to reschedule (or request and pay for an eligibility extension), you risk forfeiting your Step 3 exam fee.

NOTE: You should use the [Candidate](#) website to monitor the status of your application and the availability of your scheduling permit and score report.

[Contact Us](#)

EXHIBIT F



FREQUENTLY ASKED QUESTIONS

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USMLE STEP 3

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- » [USMLE Step 3 Eligibility Requirements](#)
- » [Online Application](#)
- » [Paper Application](#)
- » [Step 3 Eligibility Chart](#)

RELATED LINKS

- [USMLE Fees](#)
- [USMLE Forms](#)

ADDITIONAL HELP

Send additional questions to
usmle@fsmb.org or call (817) 868-4041.

Frequently Asked Questions

Below is a list of Frequently Asked Questions for USMLE Step 3.

1. [When is Step 3 offered?](#)
2. [What are the Step 3 fees for the 2009 application?](#)
3. [Is there a deadline for receipt of the Step 3 application?](#)
4. [Can I apply before medical school graduation or issuance of my ECFMG certificate or Fifth Pathway certificate?](#)
5. [Can I choose my Step 3 eligibility period?](#)
6. [Do I have to take Step 3 for the medical board of the state where I reside?](#)
7. [Do I have to submit a new Certification of Identity Form each time I apply?](#)
8. [Email addresses](#)
9. [How can I monitor the status of my Step 3 application?](#)
10. [Can I reschedule my appointment for Step 3?](#)
11. [Does it matter where I take the Step 3 exam?](#)
12. [Can I extend my 90-day eligibility period?](#)
13. [What if I lose my scheduling permit?](#)
14. [How soon will my scores be released?](#)
15. [What do I do if I have a problem at the test center while testing?](#)
16. [How do I notify USMLE of a name or address change?](#)
17. [Can I make a request for a recheck of the step 3 exam scores and how can I do this?](#)
18. [I have seen FCVS mentioned, what is FCVS?](#)

◆ 1. When is Step 3 offered?

Step 3 is administered at Prometric Testing Centers throughout the year, except for the first two weeks of January, and any state/federal holidays. The Step 3 can only be taken in the United States.

◆ 2. What are the Step 3 fees for the 2009 application?

The 2009 Step 3 application fee is \$690 or higher, depending on the state medical board for whom you are

sitting the exam. See the Fees section of this website for full details.

- ◆ 3. Is there a deadline for receipt of the Step 3 application?
All 2009 Step 3 applications and fees must reach the FSMB by 5:00 pm C.T. on September 4, 2009.
- ◆ 4. Can I apply before medical school graduation or issuance of my ECFMG certificate or Fifth Pathway certificate?
No. As part of the USMLE requirements to take the Step 3, you should apply only after the date of graduation on your medical school diploma or the issue date of your ECFMG or Fifth Pathway certificate. (Recent medical school graduates can take up to six weeks to verify degrees before approval for Step 3).

If you submit a Step 3 application prior to graduation from medical school or issuance of the ECFMG or Fifth Pathway certificate your application will be cancelled and a portion of your fees forfeited.

- ◆ 5. Can I choose my Step 3 eligibility period?
No. For reasons involving verification of the postgraduate training required by most boards to sit Step 3, eligibility periods are assigned immediately once your application has been processed and approved.
- ◆ 6. Do I have to take Step 3 for the medical board of the state where I reside?
No. While many people do this, it is not required.
- ◆ 7. Do I have to submit a new Certification of Identity Form each time I apply?
No. Beginning with the 2005 Step 3 application materials, the Step 3 Certification of Identity Form containing your signature and photograph will be valid for a period of five years. Once this Step 3 Certificate of Identity is on file with FSMB, it is not necessary to submit another if you must re-apply for Step 3.
- ◆ 8. Email addresses
An email address must be provided on your Step 3 application. This email will be used to notify you of your Step 3 application processing status. You must make sure that you allow emails from usmle@fmsb.org to be received by your email addresses. Examinees that provide email addresses ending in an .edu and some free accounts will either reject the email notifications all together or will send the email to your SPAM or JUNK email folders. Non receipt of emails will not be accepted to request

extensions or refunds for the Step 3.

► 9. How can I monitor the status of my Step 3 application?

Although the FSMB will attempt to notify you of incomplete documents, it is your responsibility to ensure your application is complete. You can monitor your application status by visiting the USMLE Candidate website, by calling the FSMB at 817-868-4041 or via email at usmle@fsmb.org.

► 10. Can I reschedule my appointment for Step 3?

Appointments can be rescheduled within your 90-day eligibility period. If rescheduling less than five business days before your current appointment, you will incur a rescheduling fee through Prometric.

► 11. Does it matter where I take the Step 3 exam?

No. While you will sit Step 3 under the eligibility requirements of a specific licensing authority, you can take the exam at any Prometric test center in the United States or its territories.

► 12. Can I extend my 90-day eligibility period?

Yes. If you are unable to take the test within your eligibility period, a **one-time** only contiguous 90 day extension to your eligibility period is possible. Due to the need for reverification of eligibility prior to approving extensions, requests must arrive no later than 10 days after the end of the original eligibility period. Check the Forms section of this website for the Eligibility Extension request form and additional details.

► 13. What if I lose my scheduling permit?

If you lose your scheduling permit you can print a duplicate permit, by going to the Candidate website.

► 14. How soon will my scores be released?

Allow at least eight weeks after your test date to be notified of your score report availability. If you do not receive an email notification of your score report availability, you should check the Candidate website. Your score report will remain available for approximately 120 days from the date of email notification.

► 15. What do I do if I have a problem at the test center while testing?

If you experience a computer problem or any other problem during the test, notify test center staff immediately. The testing software is designed to allow the test to restart at the point it was interrupted. In most

cases, your test can be restarted at the point of interruption with no loss of testing time. However, it is possible that a technical problem may occur that does not permit you to complete your examination. In the rare event that this occurs, please send a written description of the incident to the FSMB via email to usmle@fsmb.org, within two weeks of your test date. Include your scheduled dates for testing, the test center you are scheduled to test at and your USMLE id number. Your problem will be thoroughly investigated, and if necessary, arrangements will be made to allow you to test at a later date.

◆ 16. How do I notify USMLE of a name change/correction or address change?

All requests for a change of name must be submitted in writing using the name change/correction form. Visit the Forms section of this website for the name change/correction authorization form. Address and email changes must be made through the Candidate website.

◆ 17. Can I make a request for a recheck of the step 3 exam scores and how can I do this?

Standard procedures ensure that the scores reported for each examinee are an accurate reflection of the responses recorded by the computer, and a change in score based on a recheck is an extremely remote possibility. In a recheck, staff will take an examinee's computer record and, using an independent scoring system, check to verify that the originally reported score is accurate. The recheck is not processed manually and it is not a reassessment of the correctness of your answers.

If you wish to proceed with a recheck, the Federation of State Medical Boards charges a \$55.00 processing fee per exam for a recheck of the Step 3 examination. It is a Federation policy not to process any recheck until the appropriate fees are received in full. Please send a letter with your name, USMLE or Social Security number, exam date, mailing address and email address, along with your \$55.00 check or money order (payable to the Federation of State Medical Boards) to the address provided below and your recheck will then be processed. Your request must be received in our office within 90 days of your score report being released.

RECHECKS

Federation of State

Medical Boards

PO Box 619850

Dallas, TX 75261-9850

- ◆ 18. I have seen FCVS mentioned, what is FCVS?

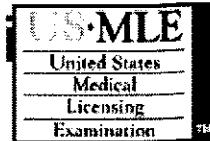
FCVS stands for Federation Credentials Verification Service and it is a uniform process for state medical boards to obtain a verified, primary source record of a physician's core medical credentials. FCVS obtains primary source verification of medical education, postgraduate training, examination history, board action history, board certification and identity. This repository of information allows a physician and/or physician assistant to establish a confidential, lifetime professional portfolio with FCVS which can be forwarded, at the physician's request, to any state medical board that has established an agreement with FCVS, hospital, health care or any other entity. [[More on FCVS](#)]

Send additional questions to usmle@fsmb.org or call **(817) 868-4041**.

[Contact Us](#)

EXHIBIT G

United States Medical Licensing Exam



Contact Us Help

Interactive Website for Step 3 Examinees

This website is for graduates of US and Canadian medical schools accredited by the Liaison Committee on Medical Education or the American Osteopathic Association, and for international medical school graduates.

Log in to this website to:

- Check the status of your registration starting with the date we receive your application and ending with your score report date.
- Print Scheduling Permit for Step 3.
- Print Score Report for Step 3.
- Check and update your personal information (e.g., name, address).

Note: Use of the FSMB Interactive Website requires at least Internet Explorer Version 6.0 or Netscape Version 7.2 or Firefox Version 1.5. Best when viewed with screen resolution no smaller than 1024 x 768. Reviewing Score Report PDF documents requires at least Adobe Reader 7.0. ([More Info](#))

LOG IN	First-time user?
USMLE ID:	
<hr/>	
Password:	
 LOG IN	
Forgot your USMLE ID or Password ?	

EXHIBIT H



2003 USMLE UPDATE!



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2003 USMLE Updates

November Think before you chat! Irregular behavior in the USMLE

The USMLE Committee on Irregular Behavior investigates incidents of alleged irregular behavior on the part of USMLE examinees. This year, as of October 31st, the Committee on Irregular Behavior made determinations in 27 instances that USMLE examinees had engaged in irregular behavior.

USMLE Step 2 Clinical Skills (CS) FAQs

October Test Delivery Software Field Trial

The National Board of Medical Examiners (NBME) is developing new software for delivery of the United States Medical Licensing Examination (USMLE) Steps and other examination programs. A field trial of this software was conducted from January 19 to February 7, 2004, at selected test centers of Prometric, part of the Thomson Corporation, in the United States, Australia, China, Egypt, India, Japan, Korea, South Africa, Taiwan, Thailand, and the United Kingdom. This trial was primarily a test of software functionality, but resembled USMLE Step 2 Clinical Knowledge (CK) and Step 3 in content and format. Those who anticipate taking USMLE Step 2 CK or Step 3 may find this field trial useful.

Each participant who completed all sections of the field trial will be provided with a profile of performance. Please note that NBME Test Delivery Software Field Trial results cannot be substituted for USMLE Step scores for the purpose of ECFMG Certification or medical licensure in the United

States.

For complete information or to apply for the field trial, visit

<http://www.usmle.org/news/testsoftware.htm>

2004 USMLE Step 3 Applications Now Available

The 2004 USMLE Step 3 application is now available. These materials can be printed and submitted now. Federation staff will begin registering individuals submitting the 2004 application starting the first week of October with Nov. 1, 2003, set as the earliest date that approved applicants can begin sitting for Step 3 using the 2004 application materials.

August Transition to 2004 application materials

All individuals applying to take Step 3 using the 2003 application form must forward their application to FSMB by September 1, 2003. The Step 3 fee and all required forms must also be received by this date.

Approximately, two weeks later (mid-September) the 2004 application will be posted to our website. Once posted to the website, the 2004 application materials can be printed and immediately submitted to the Federation for processing. Federation staff will begin registering individuals submitting the 2004 application starting the first week of October with November 1, 2003 set as the earliest date that approved applicants can begin sitting Step 3 using the 2004 application materials.

The 2004 Step 3 application cycle runs November 1, 2003 through December 31, 2004. Individuals who immediately submit the 2004 application when it is made available can expect an eligibility period beginning November 1 and running through the end of January. Otherwise, the usual 2 weeks required for processing will determine the exact start date of an examinee's eligibility period within the 2004 application cycle. An additional 15 days is added to the 90-day eligibility period to allow for mailing of

the scheduling permit.

June USMLE Step 1, 2 and 3 Fees for 2004

At the May 2003 meeting of the USMLE Budget Committee, fees for the 2004 application cycle were set for all three Steps.

The \$610 Step 3 fee will not take effect until September 2003 with the new Step 3 application which will be posted on our Web site in mid September.

- Step 1 \$435
- Step 2 Clinical Knowledge (CK) \$435
- Step 2 Clinical Skills (CS) \$975
- Step 3 \$610

SOME VARIATION IN THE FEES MAY OCCUR BASED UPON THE REGISTERING ENTITY AND THE LOCATION WHERE THE USMLE IS TAKEN.

May USMLE Step 3 Candidates - Check Your Application Status Online

If you have NOT submitted a USMLE Step 3 application, click [here](#) to begin the process and to download an application along with application instructions.

Step 3 exam candidates now have 24-hour access to registration information through an interactive Web site allowing them to access the status of an application, check the anticipated mailing date for a score report, and more. Step 3 candidates may use this [link](#) to set up a personalized password and check the status of their registration today!

April Change in Step 2 CK Minimum Passing Score

As stated in the USMLE Bulletin of Information, the level of proficiency required to meet the recommended minimum passing level for each USMLE Step examination is reviewed periodically. At its April 2003 meeting, the Step 2 Committee conducted such

a review, considering information from multiple sources including:

- results of surveys of various groups concerning the appropriateness of current pass/fail standards for Step examinations
- trends in examinee performance
- score precision and its effect on the pass/fail decision
- recommendations from physicians who participated in content-based standard-setting activities early in 2003

As a result of this review, the Step 2 Committee decided to raise the three-digit score recommended to pass Step 2 CK from 174 to 182. The new minimum passing score will be applied to Step 2 CK examinations for which the first day of testing is on or after 5/1/2003. For additional information, consult the USMLE website.

[Contact Us](#)